

OCT 07 2008

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

FELIX LUIS ROCHE MONTALVO,)	
SECURED PARTY/CREDITOR,)	
Plaintiff,)	Civil Action No. 7:08-cv-00537
)	
v.)	<u>FINAL ORDER</u>
)	
FELIX LUIS ROCHE MONTALVO,)	By: Hon. Glen E. Conrad
Defendant in Rem.)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that this action shall be and hereby is **DISMISSED** without prejudice, pursuant to Fed. R. Civ. P. 12(b)(1), as wholly frivolous and therefore outside the subject matter jurisdiction of the court, and is stricken from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 7th day of October, 2008.

Glen Conrad

United States District Judge